

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1838

WHEREAS, the Disabled American Veterans Chapter No. 7 has submitted an application designated as Special Permit No. 1838 for authority to sell alcoholic beverages for consumption on the premises generally located at 3901 North 70th Street, legally described as:

Lots 4, 5, and 6, Block 9, Ackerman Addition, located in the Northeast Quarter of Section 9, Township 10 North, Range 7 East, Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the southeast corner of Lot 6, Block 9, Ackerman Addition; thence west on the south line of said Lot 6, a distance of 25 feet 00 inches; thence north on a line 25 feet 06 inches west of and parallel to the east line of said Lot 6, a distance of 42 feet 00 inches to the point of beginning; thence continuing on the last described course, a distance of 52 feet 00 inches; thence west on a line 95 feet 00 inches north of and parallel to the south line of said Lot 6, a distance of 65 feet 04 inches; thence south on a line 90 feet 04 ½ inches west of and parallel to the east line of said Lot 6, a distance of 52 feet 00 inches; thence east on a line 43 feet 00 inches north of and parallel to the south line of Lot 6, a distance of 65 feet 04 ½ inches to the point of beginning; containing a calculated area of 3,408.1 square feet, more or less; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of the Disabled American Veterans Chapter No. 7, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption on the

1 premises on property legally described above be and the same is hereby granted under
2 the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that
3 operation of said licensed premises be in strict compliance with said application, the site
4 plan, and the following additional express terms, conditions, and requirements:

5 1. This permit approves the sale of alcoholic beverages for consumption
6 on the premises only at the establishment known as the Disabled American Veterans No.
7 7 located at 3901 North 70th Street.

8 2. Provide a revised site plan showing additional landscaping and
9 screening to mitigate the impact of the liquor sales on the dwelling to the north and the
10 dwellings to the east across 70th Street.

11 3. The site plan approved by this permit shall be the basis for all
12 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
13 elements, and similar matters.

14 4. The terms, conditions, and requirements of this resolution shall be
15 binding and obligatory upon the Permittee, its successors, and assigns. The building
16 official shall report violations to the City Council which may revoke the special permit or
17 take such other action as may be necessary to gain compliance.

18 5. The Permittee shall sign and return the City's letter of acceptance to
19 the City Clerk within 30 days following approval of the special permit, provided, however,
20 said 30-day period may be extended up to six months by administrative amendment. The
21 City Clerk shall file a copy of the resolution approving the special permit and the letter of
22 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
23 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant